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Date of Deposit: September 5, 2003

21465-501 CIP2
Page 1 of 1

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PTO/SB (12-97)
OMB 0651-0031

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<p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>(use as many sheets as necessary)</p>	Application Number	09/814,338
	Filing Date	03/21/01
	First Named Inventor	Rothberg
	Group Art Unit	1637
	Examiner Name	Young J. Kim
	Attorney Docket Number	21465-501 CIP2

U.S. PATENT DOCUMENTS

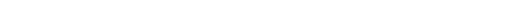
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date if Appropriate
MM	A83	5,888,819	03/30/99	Goelet et al.	495	5	03/05/91
MM	A84	2003/0082566	05/01/03	Sylvan	433	6	02/27/02

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
<i>M</i>	B59	EP 0 371 437	Orlon-Yhtyma Oy	February 21, 1996	X

OTHER PRIOR ART - NON-PATENT LITERATURE DOCUMENTS

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____ filed _____ now issued as Pat. No. _____ and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	10-30-03
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Express Mail Lab I No.: EU282821629US
Dat of Dep sit: Jun 12, 2003

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Modified Form 1449/PTO		Application Number	09/814,338
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Filing Date	03/21/01
		First Named Inventor	Rothberg
		Group Art Unit	1637
		Examiner Name	Young J. Kim
		Attorney Docket Number	21465-501 CIP2

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U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
A23	4,683,195	07/28/87	Mullis et al				02/07/86
A24	4,683,202	07/28/87	Mullis				10/25/85
A25	4,822,746	04/18/89	Walt				06/25/86
A26	4,965,188	10/23/90	Mullis et al.				06/17/87
A27	5,114,984	05/19/92	Branch et al.				04/26/91
A28	5,143,853	09/01/92	Walt				02/02/89
A29	5,244,636	09/14/93	Walt et al.				01/25/91
A30	5,250,264	10/05/93	Walt et al.				12/21/92
A31	5,252,494	10/12/93	Walt				03/30/92
A32	5,254,477	10/19/93	Walt				09/19/91
A33	5,298,741	03/29/94	Walt et al.				01/13/93
A34	5,320,814	06/14/94	Walt et al.				11/25/92
A35	5,405,746	04/11/95	Uhlen				09/22/93
A36	5,429,807	07/04/95	Matson et al.				10/28/93
A37	5,436,327	07/25/95	Southern et al.				09/21/89
A38	5,512,490	04/30/96	Walt et al.				08/11/94
A39	5,534,424	07/09/96	Uhlen et al.				05/12/93
A40	5,633,972	05/27/97	Walt et al.				11/29/95
A41	5,700,637	12/23/97	Southern				04/19/94
A42	5,716,785	02/10/98	Van Gelder et al.				04/19/96
A43	5,744,305	04/28/98	Fodor et al.				06/06/95
A44	5,750,341	05/12/98	Macevitz				04/17/95
A45	5,770,367	06/23/98	Southern et al.				
A46	5,780,231	07/14/98	Brenner				03/05/96
A47	5,795,716	08/18/98	Chee et al.				10/21/94
A48	5,814,524	09/29/98	Walt et al.				12/14/95
A49	5,871,928	02/16/99	Fodor et al.				06/11/97
A50	5,891,636	04/06/99	Van Gelder et al.				09/03/97
A51	5,900,481	05/04/99	Lough et al.				11/06/96
A52	5,962,228	10/05/99	Brenner				08/22/97
A53	6,013,445	01/11/00	Albrecht et al.				10/07/97
A54	6,023,540	02/08/00	Walt et al.				03/14/97

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U.S. PATENT DOCUMENTS							
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Applicable
	A55	6,040,193	03/21/00	Winkler et al.			08/04/98
	A56	6,054,270	04/25/00	Southern			09/09/97
	A57	6,080,585	06/27/00	Southern et al.			02/01/95
	A58	6,114,114	09/05/00	Seilhamer et al.			07/29/94
	A59	6,133,436	10/17/00	Koster et al.			09/19/97
	A60	6,136,543	10/24/00	Anazawa et al.			01/31/97
	A61	6,150,095	11/21/00	Southern et al.			04/09/96
	A62	6,200,737	03/13/01	Walt et al.			08/24/95
	A63	6,210,891	04/03/01	Nyren et al.			09/26/97
	A64	6,210,896	04/03/01	Chan			08/13/99
	A65	6,210,910	04/03/01	Walt et al.			03/02/98
	A66	6,218,111	04/17/01	Southern et al.			12/10/97
	A67	6,221,653	04/24/01	Caren et al.			04/27/99
	A68	6,255,476	07/03/01	Vinayak et al.			02/22/99
	A69	6,258,568	07/10/01	Nyren			12/22/97
	A70	6,263,286	07/17/01	Gilmanshin et al.			08/13/99
	A71	6,306,597	10/23/01	Macevick			03/29/99
	A72	6,307,038	10/23/01	Southern			02/11/00
	A73	6,333,155	12/25/01	Lockhart et al.			12/18/98
	A74	6,355,420	03/12/02	Chan			08/13/98
	A75	6,355,431	03/12/02	Chee et al.			03/03/00
	A76	2001/0006630	07/05/01	Yacoby-Zeevi			03/02/99
	A77	2001/0041335	11/15/01	Goldberg et al.			02/06/01
	A78	2002/0009729	01/24/02	McGall et al.			02/08/01
	A79	2002/0022721	02/21/02	Trulson et al			08/03/01
	A80	6,146,593	11/14/00	Pinkel et al.			11/14/00
	A81*	5,445,971	08/95	Rohr			
	A82*	5,919,673	07/99	Wong et al.			

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Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	B18	EP 0 373 203	Isis Innovation Limited	August 31, 1994	
	B19	EP 0 619 321	Affymax Technologies N.V.	January 7, 1999	
	B20	WO 89/10977	Isis Innovation Limited	November 16, 1989	
	B21	WO 98/28440	Pyrosequencing AB	July 2, 1998	
	B22	WO 99/05315	Medical Biosystems LTD	February 4, 1999	
	B23	WO 99/60007	Isis Innovation Limited	November 25, 1999	
	B24	WO 99/61662	Isis Innovation Limited	December 2, 1999	
	B25	WO 99/66313	Pyrosequencing AB	December 23, 1999	
	B26	WO 99/67641	Illumina, Inc.	December 29,	

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Date of Deposit: Jun 12, 2003

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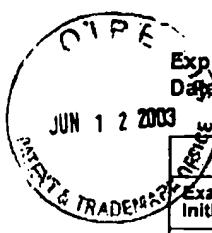
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Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Year No
				1999	
	B27	WO 00/06770	Solexa LTD	February 10, 2000	
	B28	WO 00/27521	Solexa LTD	May 18, 2000	
	B29	WO 00/39587	Illumina, Inc.	July 6, 2000	
	B30	WO 00/43540	Pyrosequencing AB	July 27, 2000	
	B31	WO 00/44491	Illumina, Inc.	August 3, 2000	
	B32	WO 00/47996	Illumina, Inc.	August 17, 2000	
	B33	WO 00/48000	Illumina, Inc.	August 17, 2000	
	B34	WO 00/56455	Pyrosequencing AB	September 28, 2000	
	B35	WO 00/58507	Solexa LTD	October 5, 2000	
	B36	WO 00/60072	Medical Biosystems LTD	October 12, 2000	
	B37	WO 00/60114	Medical Biosystems LTD	October 12, 2000	
	B38	WO 00/63437	Illumina, Inc.	October 26, 2000	
	B39	WO 00/71243	Illumina, Inc.	November 30, 2000	
	B40	WO 00/71992	Illumina, Inc.	November 30, 2000	
	B41	WO 00/71995	Illumina, Inc.	November 30, 2000	
	B42	WO 00/75373	Illumina, Inc.	December 14, 2000	
	B43	WO 01/18524	Illumina, Inc.	March 15, 2001	
	B44	WO 01/24937	Pyrosequencing AB	April 12, 2001	
	B45	WO 01/25480	Medical Biosystems LTD	April 12, 2001	
	B46	WO 01/42496	Pyrosequencing AB	June 14, 2001	
	B47	WO 01/46675	Illumina, Inc.	June 28, 2001	
	B48	WO 01/57268	Illumina, Inc.	August 9, 2001	
	B49	WO 01/57269	Illumina, Inc.	August 9, 2001	
	B50	WO 01/59432	Illumina, Inc.	August 16, 2001	
	B51	WO 01/61043	Illumina, Inc.	August 23, 2001	
	B52	WO 01/85341	Pyrosequencing AB	November 15, 2001	
	B53	WO 02/00336	Illumina, Inc.	January 3, 2002	
	B54	WO 02/12897	Illumina, Inc.	February 14, 2002	
	B55	WO 02/16649	Illumina, Inc.	February 28, 2002	
	B56	WO 02/20836	Pyrosequencing AB	March 14, 2002	
	B57	WO 02/20837	Pyrosequencing AB	March 14, 2002	
	B58	WO 02/21128	Illumina, Inc.	March 14, 2002	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C67	Mitra and Church (1999). Nuc. Acids Res. 27(34): i-vi.



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Date f D p sit: Jun 12, 2003

Page 4 of 4

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C68	Tawfik and Griffiths (1998). <i>Nature Biotechnol.</i> 16: 652-656.
	C69	International Search Report for PCT/US02/08700, mailed July 12, 2002.
	C70*	Hoheisel, "Oligomer-chip technology" <i>Trends in BioTechnology</i> 15: 465-469.

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/398,833 filed September 16, 1999 now issued as Pat. No. 6,274,320 and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	10-30-03
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,338	03/21/2001	Jonathan M. Rothberg	21465-501 CIP2	6233

30623 7590 11/19/2002
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY
AND POPEO, P.C.
ONE FINANCIAL CENTER
BOSTON, MA 02111

EXAMINER
KIM, YOUNG J

ART UNIT	PAPER NUMBER
1637	7

DATE MAILED: 11/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application N .	Applicant(s)
	09/814,338	ROTHBERG ET AL.
	Examiner Young J. Kim	Art Unit 1637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 09 September 2002.
 - 2a) This action is FINAL. 2b) This action is non-final.
 - 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.
- Disposition of Claims**
- 4) Claim(s) 1-87 is/are pending in the application.
 - 4a) Of the above claim(s) 1-55 is/are withdrawn from consideration.
 - 5) Claim(s) _____ is/are allowed.
 - 6) Claim(s) 56-87 is/are rejected.
 - 7) Claim(s) 86 is/are objected to.
 - 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Pri ority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) Interview Summary (PTO-413) Paper No(s) _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

Express Mail Label: EV054296480US
 Applicant: Rothberg, et al.
 USSN: 09/814,338
 Date of Deposit: February 1, 2002
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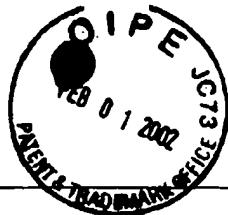
Modified Form 1449/PTO		Application Number	09/814,338
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Filing Date	03/21/01
		First Named Inventor	Rothberg
		Group Art Unit	1645
		Examiner Name	Not Yet Assigned
		Attorney Docket Number	21465-501CIP2
(use as many sheets as necessary)			

U.S. PATENT DOCUMENTS						
Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class
	A1*	4,811,218	03/07/89	Hunkapiller et al.		
	A2*	4,863,848	09/05/89	Melamede		
	A3*	5,171,534	12/15/92	Smith et al.		
	A4*	5,602,509	04/12/94	Cheeseman		
	A5*	5,445,934	08/29/95	Fodor et al.		
	A6*	5,525,464	06/11/96	Drmanac and Crkvenjakov		
	A7*	5,604,097	02/18/97	Brenner		
	A8*	5,648,245	07/15/97	Fire and Xu		
	A9*	5,714,320	02/03/98	Kool		
	A10*	5,728,529	03/17/98	Metzker and Gibbs		
	A11*	5,800,992	09/01/98	Fodor et al.		
	A12*	5,821,058	10/13/98	Smith et al.		
	A13*	5,830,662	12/03/98	Soares and Efstratiadis		
	A14*	5,834,252	11/10/98	Stemmer and Lipshutz		
	A15*	5,846,721	12/08/98	Soares and Bonaldo		
	A16*	5,846,727	12/08/98	Soper et al.		
	A17*	5,854,033	12/29/98	Lizardi		
	A18*	5,851,772	12/22/98	Mirzabekov et al.		
	A19*	5,871,697	02/16/99	Rothberg et al.		
	A20*	5,882,874	03/16/99	Fisher		
	A21*	5,928,905	07/29/99	Stemmer and Lipshutz		
	A22*	4,971,903	11/20/90	Hyman		

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	B1*	WO 97/41260	Genescape	11/06/97	
	B2*	WO 98/08973	Cancer Research Campaign Tech. Ltd.	03/05/98	
	B3*	WO 98/13523	Pyrosequencing AB	04/02/98	
	B4*	WO 98/44151	Gloxo Group Ltd.	10/08/98	
	B5*	WO 98/44152	Gloxo Group Ltd.	10/08/98	
	B6*	WO 98/53300	Lynx Therapeutics	11/26/98	
	B7*	WO 99/07896	CuraGen Corporation	02/18/99	
	B8*	WO 99/15702	Life Technologies, Inc.	04/01/99	
	B9*	WO 99/28494	Packard BioScience Company	06/10/99	
	B10*	WO 99/30823	Packard BioScience B.V.	06/24/99	

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 Applicant: Rothberg, et al.
 USSN: 09/814,338
 Date of Deposit: February 1, 2002

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Page 2 of 3

FOREIGN PATENT DOCUMENTS					
Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	B11*	WO 99/36576	Packard BioScience Company	07/22/99	
	B12*	WO 99/53102	Packard BioScience Company	10/21/99	
	B13	WO 97/19193	Yale University	05/29/97	
	B14	WO 97/27326	The Regents of the University of California	07/31/97	
	B15	WO 98/50782	Trustees of Tufts College	11/12/98	RECEIVED FFB 1/6/2002
	B16	WO 98/20019	Sequenom, Inc.	05/14/98	TECH CENTER 1600/2900
	B17	WO 98/35012	Eugene Y. Chan	08/13/98	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C1*	Baner et al. (1998). <i>Nucleic Acids Research</i> 26(22): 5073-5078.
	C2*	Barshop et al. (1991). <i>Analytical Biochemistry</i> 197: 266-272.
	C3*	Brandis et al. (1990). <i>Biochemistry</i> 55: 2189-2200.
	C4*	Bronk et al. (1996). <i>Anal. Chem.</i> 67: 2750-2757.
	C5*	Burns et al. (1998). <i>Science</i> 282: 484-487.
	C6*	Chan and Nie (1998). <i>Science</i> 281: 2016-2018.
	C7*	Chee et al. <i>Science</i> 274(5287).
	C8*	Chiu and Christopoulos (1996). <i>Anal. Chem.</i> 68: 2304-2308.
	C9*	Daubendiek and Kool (1997). <i>Nature Biotechnology</i> 15: 273-277.
	C10*	Dickson et al. (1996). <i>Science</i> 274(S289): 966.
	C11*	Dickson et al. (1997). <i>Nature</i> 388: 355-358.
	C12*	Ferguson et al. (1996). <i>Nature Biotechnology</i> 14: 1681-1684.
	C13*	Fire and Xu (1995). <i>Proc. Natl. Acad. Sci.</i> 92: 4641-4645.
	C14*	Ha et al. (1996). <i>Proc. Natl. Acad. Sci.</i> 93: 6264-6268.
	C15*	Hacia (1999). <i>Nature Genetics Supplement</i> 21: 42-47.
	C16*	Hatch et al. (1999). <i>Genetic Analysis: Biomolecular Engineering</i> 15: 35-40.
	C17*	Healey and Walt (1997). <i>Anal. Chem.</i> 69: 2213-2216.
	C18*	Healey et al. (1995). <i>Science</i> 269: 1078-1080.
	C19*	Hengsakul and Cass (1996). <i>Bioconjugate Chem.</i> 7: 249-254.
	C20*	Hyman (1988). <i>Analytical Biochemistry</i> 174: 423-436.
	C21*	Ishijima et al. (1998). <i>Cell</i> 92: 161-171.
	C22*	Ito et al. (1994). <i>FEBS</i> 351: 231-236.
	C23*	Izawa et al. (1998). <i>The Journal of Biological Chemistry</i> 273(23): 14242-14246.
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* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/398,833 , filed September 16, 1999, now issued as Pat. No. 6274320 and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

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